REMARKS

The present amendment is responsive to the Office Action mailed in the above-referenced case on February 09, 2005. In the Office Action the Examiner objects to claim 24. Claims 1-4, 7-17, 19-25 and 27-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Lavian (US 6,170,015) hereinafter Lavian. Claims 5, 6, 18 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lavian in view of Gerszberg et al. (US 6,044,403) hereinafter Gerszberg.

In response, applicant amends claim 24 to correct the lettering of the provided steps. Further applicant has added four new independent claims for examination. Applicant herein provides arguments which clearly differentiate applicant's claimed subject matter from the teachings of Lavian, as relied upon by the Examiner.

Regarding claim 1, the Examiner relies on the structure of Lavian to read on the claim. Applicant asserts that the art of Lavian teaches a router having connections to a Web browser 303, network maintenance station (NMS) 301 and other servers 309 and 307 (Fig. 3). Alternatively, Figure 4 of Lavian teaches routing switches 403 connected to Browser 401, Optivity software 409 and various servers 415, 417, and 419. Lavian teaches that the router(s) can download intelligent agents (Fig. 5) and that Applets and Optlets are transferred between Browser 401, Optivity 409 and the router, respectively.

Applicant argues that there is absolutely no disclosure in the art of Lavian of a device requesting and receiving data from a router, in the common format, wherein the receiving device reads the data, builds an object model from logic instructions embedded in the data received and executes the object model to implement the logic at the device for rendering the data. There is no disclosure teaching what the receiving device does with the conformal data received from the router. Applicant believes that is because data that is sent from the router to the devices in Lavian are of a format readable and displayable on said devices. There is no need of further manipulation of the received data by the devices to render it.

The Examiner relies on column 5, lines 50-60 of Lavian to read on said limitation, specifically. Applicant argues that this portion of Lavian is describing what the router or

switch does with data. The router cannot be both the sending and receiving device. Applicant clearly teaches and claims separate components.

Applicant believes claim 1 is patentable as argued above. Claims 2-11 are patentable on their own merits, or at least as depended from a patentable claim.

Regarding claim 12, the Examiner states that Lavian teaches a distributed application server system comprising a data interpretation module for interpreting data sent to the device from the client service and creating an object model from instructions embedded in the data, such that a runtime engine executes software to display module data on the client device as characterized by function attributes of the end device. (col. 3, lines 40-49; col. 4, lines 2-8).

Applicant argues that Lavian teaches a runtime engine which takes byte code and transforms it into instructions that can be read on a PC (col. 3, lines 46-49). Applicant argues that there is no teaching of the receiving device implementing a data-rendering module for applying the logic resulting from execution of the object model (runtime engine) to function and display devices supported on the client device. The instructions come from the router conformed to the format required by the PC for reading. There is no need for further manipulation of the data in Lavian.

Applicant believes claim 12 is patentable over the art of Lavian as argued above. Claims 13-23 are patentable on their own merits, or at least as depended from a patentable claim.

Claim 24 is applicant's method claim and is also rejected by the Examiner as being anticipated by Lavian. The Examiner states that because Lavian teaches Java and HTML, Lavian reads on the claimed limitations of claim 24. Applicant claims providing an HTML template and JavaScript library to the client for use in developing query applications that contain data rendering logic. While Lavian does teach a JavaScript library, there is absolutely no teaching of developing query applications that contain data rendering logic. The data is sent to receiving devices in Lavian, in a form viewable and workable by the receiving devices and their operating software. As argued above, Lavian fails to teach that a receiving device must interpret received data from the router and build a JavaScript object representing the logic instructions. Lavian also fails to teach or

suggest executing the JavaScript object and applying the results to render the message data according to display and function of the device according to the logic instructions.

Applicant believes claim 24 is clearly patentable over Lavian, as argued above. Dependent claims 25-31 are patentable on their own merits, or at least as depended from a patentable claim.
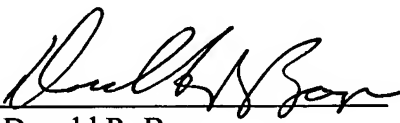
Regarding the obviousness rejections of the dependent claims, because Lavian teaches that data is sent conformed to the receiving device or software, there is no motivation or suggestion in Lavian or Gerszberg that wireless receiving devices, connected to the network, are not capable of receiving router or server information in a form not readable, wherein an additional object building process is required to display and view the received data.

The new claims are broader in scope than the original claims, and are justified in that the original claims recite a much more narrow scope than that to which the applicant is entitled. The art does not teach gathering information at one device, transforming the information into a common format comprising logic statements, sending the information in the common format to a second device, and using the logic statements at the second device to create objects through an object modeling application that are the usable by the second device for internal functionality (such as displaying the received information), as claimed.

As all of the claims as argued are clearly shown to be patentable over the prior art, applicant respectfully requests that the rejections be withdrawn and that the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,
Jonathan Wu

by_____
Donald R. Boys
Reg. No. 35,074

Central Coast Patent Agency
P.O. Box 187
Aromas, CA 95004
(831) 726-1457